United States Bankruptcy Court Southern District of Texas

ENTERED

January 14, 2024 Nathan Ochsner, Clerk

IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE:	§	
	§	CASE NO: 23-90611
WESCO AIRCRAFT	§	
HOLDINGS, INC., et al.,	§	CHAPTER 11
	§	
Debtors.	§	
	§	
WESCO AIRCRAFT	§	
HOLDINGS, INC., et al.,	§	
	§	
	§	
VS.	§	ADVERSARY NO. 23-3091
	§	
SSD INVESTMENTS LTD., et	§	
al.,	§	
	§	
Defendants.	§	

ORDER ON MOTIONS FOR SUMMARY JUDGMENT

Pursuant to the memorandum opinion issued on this date, the Court orders the following:

Trial will begin solely on the issue of Langur Maize's Article III standing to assert claims against entities not covered by New York General Obligations Law § 13-107. The Court will issue a bench ruling on this issue before proceeding on the remaining issues.

If witness availability issues preclude the ability to proceed as set forth in the preceding paragraph, then the Court will commence the trial on all issues.

These claims are dismissed:

2024	2024/2026 Noteholders First Amended Counterclaims		
Count	Description	Claim Against	
Two	Breach of Contract—Breach of § 9.02 of the Original Secured Note Indenture	Wilmington Savings Fund Society, FSB	
Three	Breach of Implied Covenant of Good Faith and Fair Dealing	All parties	
Four	Equitable Lien	All parties	
Five	Equitable Subordination	All parties	
Seven	Conversion	All parties	

Langur Maize Crossclaims, Third-Party Claims and Counterclaim			
Count	Description	Claim Against	
Three	Breach of § 9.02(10) of the Indenture and § 4 of the 2027 Notes	Wilmington Savings Fund Society, FSB	
Five	Unjust Enrichment	All parties	

Six	Breach of Implied Covenant of	All parties
	Good Faith and Fair Dealing	

Declaratory judgment for the following claims is granted:

2024/2026 Holders First Amended Counterclaims	
Count	Description
One	The 2024/2026 Holders' have standing.

Marvin Isgur United States Bankruptcy Judge

All other relief is denied.

SIGNED 01/14/2024

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